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Ballard Spahr Andrews & Ingersoll, LLP
SUITE 1000
999 PEACHTREE STREET
ATLANTA, GA 30309-3915

| EXAMINER |
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| TRUONG, LAN DAI T |

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>03</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on <u>17 October 2008</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-4,6,7 and 13-18* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6,7 and 13-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All b)☐ Some * c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____.

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date *10/07/2008; 10/24/2008*.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

## DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection.  Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114.  Applicant's submission filed on 10/17/2008 has been entered.

2. This action is response to communications: application, filed on 08/04/2000;

amendment filed on10/17/2008. Claims 1-4, 6-7 and 13-18 are pending; claims 1, 3, 6 and 13 are

amended; claims 5 and 8-12 are canceled.

3. The applicant's arguments (filed on10/17/2008) have fully considered but they are

moot in view with new ground for rejections.

## Response to arguments

4. The rejections under 35 USC § 112 (issued on 01/18/2008) is withdrawn in response to

applicant's arguments.

5. In regard to the newly amended limitations to claims 1, 3, 6 and 13, the examiner has

provided further citations from the reference to show the teachings of the newly amended

features (see rejection below).

## Claim rejections-35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

**Claims 1-2, 6 and 13-17 are rejected under 35 U.S.C 103(a) as being un-patentable over Gupta et al. (U.S. 2001/0020242) in view of Johnson et al. (U.S. 6,505,254) further in view of Dupray et al. (U.S. 7,298,327).**

*<u>Regarding claim 1:</u>*

Gupta discloses the invention substantially as claimed, including a method, which can be implemented in a computer hardware or software code for obtaining a geographic location of an Internet user that accesses an external network from a private network through a proxy server, comprising:

receiving by an external server on an external network a request for information from an Internet user through a proxy server: ( "a third party ISP/or the ISP" (which reads on 'the external network' as claimed) receives a user roaming request through a proxy: Gupta, [0060]).

redirecting by the external server the request for information to an internal server of a private network: (the ISP then forwards the user roaming request to the user's home ISP (which reads on 'an internal server' as claimed) for user profile information including (resident/ email address, age, name...etc): Gupta, [0060]; [0053]; [0033]).

the internal server determining the geographic location of the Internet user; receiving by the external server the geographic location of the Internet user from the internal server within the private network: (the ISP (which reads on external server as claimed) then obtains user profile information that includes "resident/ address...etc" (those read on geographic location as claimed) from the user's home ISP: Gupta, [0060], lines 5-9).

using the geographic location of the Internet user in handling the request for information

received from the Internet user: (the ISP uses the received user profile information for inserting

advertisements: Gupta, [0060], lines 5-9).

However, Gupta does not explicitly disclose determining the request is through the proxy

server by the external server.

In analogous art, Johnson teaches interactive communications between an external router

and an internal router through a proxy/firewall. The Johnson's external router is capable to

recognize if a request comes through a firewall in order to decide to redirect the request to

internal router, see (column 6, lines 8-21, 46-65).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine Johnson's ideas of determining if the request came through a

proxy into Gupta's system in order to increase secure communication network (i.e. ability to

catch all messages those are sent/come from outside network/ external network 17-21), see

(Johnson, column 6, lines).

However, Gupta-Johnson does not explicitly disclose selecting the geographic location of

the Internet user from one or more determined geographic locations based at least in part on a

confidence level associated with respective determined geographic locations.

Dupray discloses method of determining and selecting location for target mobile station

based at least in part on confidence level, see (Dupray, column 14, lines 20-46).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine Dupray's ideas of determining and selecting location for target

mobile station based at least in part on confidence levels into Gupta-Johnson's system in order to

provide an efficient geographic allocation system (e.g. rapidly allocate location of target device; decreasing location determining difficulties due to multiple result locations by implying confidence levels), see (Dupray, column 8, lines 40-67).

***Regarding claim 13:***

Gupta discloses the invention substantially as claimed, including a method, which can be implemented in a computer hardware or software code for an external server to obtaining a geographic location of user that accesses an external from an internal network through a proxy server, comprising:

receiving by an external server on an external network a request for information from a user through a proxy server: (In Gupta communication network, "a third party ISP/or the ISP" (which reads on 'the external network' as claimed) receives a user roaming request through a proxy: [0060]).

redirecting by the external server the request for information to an internal server of the internal network: (Gupta teaches the ISP (which reads on 'the external server' as claimed) then forwards user request to the user's home ISP (which reads on 'an internal server' as claimed) for user profile information i.e. resident/ address, age, name...etc: [0060]; [0053]; [0033]).

determining by the internal server an internal network address of the user; sending the geographic location to the external server on the external network: (user profile information (e.g. email address) are determined by the user's home ISP: Gupta, [0060], lines 5-9; [0058]).

storing the geographic location of the user and the internal network address of the user in a geographic location/internal network address mapping table such that to determine the geographic location of the user can later be determined based on the internal network address of

the user by accessing the geographic location/internal network address mapping table: (a

database stores information indicating associations between user's IP addresses and user's phone

numbers. The database can be later searched based upon IP address to determine user phone

numbers those are used to determine user geographical locations through area codes: Gupta,

[0030]).

determining a geographic location of the user: (the database, storing information

indicating associations between user's IP addresses and user's phone number, can be later

searched to determine user phone numbers those are used to determine user geographical

locations through area codes: Gupta, [0030]).

However, Gupta does not explicitly disclose determining the request is through the proxy

server by the external server.

In analogous art, Johnson teaches interactive communications between an external router

and an internal router through a proxy/firewall. The Johnson' s external router is capable to

recognize if a request comes through a firewall in order to decide to redirect the request to

internal router, see (column 6, lines 8-21, 46-65).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine Johnson's ideas of determining if the request came through a

proxy into Gupta's system in order to increase secure communication network (i.e. ability to

catch all messages those are sent/come from outside network/ external network 17-21), see

(Johnson, column 6, lines).

However, Gupta-Johnson does not explicitly disclose selecting the geographic location of the user from one or more determined geographic locations based at least in part on a confidence level associated with respective determined geographic locations.

Dupray discloses method of determining and selecting location for target mobile station based at least in part on confidence levels, see (Dupray, column 14, lines 20-46).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Dupray's ideas of determining and selecting location for target mobile station based at least in part on confidence levels into Gupta-Johnson's system in order to provide an efficient geographic allocation system (e.g. rapidly allocate location of target device; decreasing location determining difficulties due to multiple result locations by implying confidence levels), see (Dupray, column 8, lines 40-67).

### *Regarding claim 6:*

In addition to rejection in claim 1, Gupta-Johnson-Dupray further discloses determining an internal address of the Internet user: (user profile information (e.g. email address) is determined by the user's home ISP: Gupta, [0060], lines 5-9; [0058]).

storing the geographic location of the Internet user mapped to the internal address of the Internet user in a geographic location/internal IP address mapping table contained within the private network; and accessing a the geographic location/internal IP address mapping table contained within the private network, in order to later determine the geographic location of the Internet user based on the internal address of the Internet user: (a database stores information indicating associations between user's IP addresses and user's phone numbers. The database can

be later searched based upon IP address to determine user phone numbers those are used to

determine user geographical locations through area codes: Gupta, [0030]).

### Regarding claim 2:

In addition to rejection in claim 1, Gupta-Johnson-Dupray further discloses wherein the

external is Internet: (Gupta: figure 2, item 224; [0044]-[0045]).

### Regarding claim 17:

In addition to rejection in claim 1, Gupta-Johnson-Dupray further discloses the user is

one of a plurality of users on the private network that accesses the external network using a first

external address of proxy server: (Gupta discloses a proxy server/firewall implements as an

intermediary agent to provide security for communications between a private network and an

external network. As one of ordinary skill in the art would know that the external address of

proxy server should be used during communications through the private network and the external

network: [0018]).

### Regarding claim 14:

In addition to rejection in claim 13, Gupta-Johnson-Dupray further discloses external

network and internal network both are IP network: (Gupta: [0033]; [0053]-[0055]).

### Regarding claim 15:

In addition to rejection in claim 13, Gupta-Johnson-Dupray further discloses using a

computer on the external network  the geographic location of user in processing the request for

information: (Gupta discloses using external ISP uses received user profile information including

address/ or resident to insert advertisements: [0060]).

### Regarding claim 16:

In addition to rejection in claim 13, Gupta-Johnson-Dupray further discloses the user is one of a plurality of users on the internal network that accesses the external network using a first external address of proxy server: (Gupta discloses a proxy server/firewall used as an intermediary agent to provide security of communications between a private network and an external network. As one of ordinary skill in the art would know that the external address of proxy server should be used during communications through the private network and the external network: [0018]).

**Claims 3-4, 7 and 18 are rejected under 35 U.S.C 103(a) as being un-patentable over Gupta et al. (U.S. 2001/0020242) in view of Kirsch (U.S. 5,963,915) further in view of Dupray et al. (U.S. 7,298,327).**

### _Regarding claim 3:_

Gupta discloses the invention substantially as claimed, including a method, which can be implemented in a computer hardware or software code for determining a geographic location of an Internet user that accesses an external network from a private network through a proxy server, comprising:

receiving a request for the geographic location of an Internet user within the g private network, the request originating from the an external network outside of the private network: (in Gupta's system, user's home ISP (which reads on 'a private network' as claimed) receives forwarded user request from the ISP (which reads on 'the external network' as claimed) for user profile information (i.e. resident/ email address, age, name...etc): [0060]; [0053]; [0033]).

determining the geographic location of the Internet user; and sending the geographic location of the Internet user to the external network: (the ISP then obtains user profile

information that includes "resident/ email address...etc" (those read on geographic location as claimed) from the user's home ISP: Gupta, [0060], lines 5-9; [0058]).

storing the geographic location of the Internet user and based on an internal address associated with the Internet user and in a geographic location/internal IP address mapping table contained within the private network, such that the geographic location of the Internet user can later be determined based on the internal address of the Internet user by accessing the geographic location/internal IP address mapping table: (a database stores information indicating associations between user's IP addresses and user's phone numbers. The database can be later searched to determine user phone numbers those are used to determine user geographical locations through area codes: Gupta, [0030]).

However Gupta does not explicitly disclose detecting that the request was redirected from the external network.

In analogous art, Kirsch discloses a router can determine a redirect site by referring to redirection ULR, see (Kirsch, column 6, lines 50-67).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Kirsch's ideas of ability of determine a redirect site by referring to redirection ULR into Gupta's system in order to increase conveniences and efficiencies for network users, see (Kirsch, column 4, lines 37-42).

However, Gupta-Kirsch does not explicitly disclose selecting the geographic location of the Internet user from one or more determined geographic locations based at least in part on a confidence level associated with respective determined geographic locations.

Dupray discloses method of determining and selecting location for target mobile station based at least in part on confidence level, see (Dupray, column 14, lines 20-46).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Dupray's ideas of determining and selecting location for target mobile station based at least in part on confidence level into Gupta-Kirsch's system in order to provide an efficient geographic allocation system (e.g. rapidly allocate location of target device; decreasing location determining difficulties due to multiple result locations by implying confidence levels), see (Dupray, column 8, lines 40-67).

***Regarding claim 4:***

In addition to rejection in claim 3, Gupta-Kirsch-Dupray further discloses receiving the request from a machine associated with the Internet user: (Gupta: "client" (which reads on a machine as claimed: figure 1, item 100).

***Regarding claim 7:***

In addition to rejection in claim 3, Gupta-Kirsch-Dupray further discloses sending the geographic location to the external server on the external network: (Gupta teaches the ISP (which reads on external server as claimed) then obtains user profile information includes "user address/ and resident" (which reads on geographic location as claimed) from the user's home ISP: [0060], lines 5-9).

redirecting machine associated with the Internet user to an internal server of the internal network: (Gupta teaches "forwarding" (which reads on redirecting as claimed) user request to the user's home ISP (which reads on an internal network) for user profile information i.e. resident/ address, age, name...etc: [0060]; [0053]; [0033]).

*Regarding claim 18:*

In addition to rejection in claim 3, Gupta- Kirsch-Dupray further discloses the user is one

of a plurality of users on the private network that accesses the external network using a first

external address of proxy server: (Gupta discloses a proxy server/firewall used as an

intermediary agent to provide security of communications between a private network and an

external network. The external address of proxy server should be included in communication

message header during communications passing through the private network and the external

network: ([0018]).


The prior arts made of records and not relied upon are considered pertinent to applicant's

disclosure. The following patents and publications are cited to further show the state of the art

with respect to "Determining Geographic locations of private network internet users":

20080167049; 20080113672; 7383051.


# Conclusions

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to LAN-DAI Thi TRUONG whose telephone number is (571)272-

7959. The examiner can normally be reached on Monday- Friday from 8:30am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John A. Follansbee can be reached on 571-272-3964. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

12/07/2008.


/Kenny S Lin/
Primary Examiner, Art Unit 2452